

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DARREN HARRIS,

Plaintiff,

v.

KIM, et al.,

Defendants.

Case No. 1:05-cv-00003-AWI-SKO (PC)

ORDER DIRECTING CLERK'S OFFICE TO
SEND PLAINTIFF LAST PAGE OF
UNSIGNED PRETRIAL STATEMENT
(PAGE 46 OF 47) AND REQUIRING
PLAINTIFF TO SIGN AND RETURN THE
PAGE WITHIN TWENTY DAYS

(Doc. 187)

Plaintiff Darren Harris, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 3, 2005. This action is proceeding on Plaintiff's fourth amended complaint against Defendants Olivarria, Williams, and Kim for violation of the Eighth Amendment, and against Defendants Olivarria and Lowden for violation of the First Amendment.

Jury trial is set for January 26, 2016, and on October 19, 2015, Plaintiff filed an unsigned pretrial statement, which is forty-seven pages including the certificate of service. Unsigned filings cannot be considered. Fed. R. Civ. P. 11(a); Local Rule 131. In this instance, the Court will make an exception to its general practice and have the Clerk's Office send Plaintiff the last page of his pretrial statement (page forty-six of forty-seven). Plaintiff is required to sign and return the page within twenty days. If he fails to do so, his pretrial statement will be stricken from the record.

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1 Accordingly, it is HEREBY ORDERED that:

- 2 1. The Clerk's Office shall send Plaintiff the last page of his pretrial statement for
3 signature (doc. 187, page 46 of 47);
- 4 2. Plaintiff shall sign and return the page within **twenty (20) days** from the date of
5 service of this order; and
- 6 3. If Plaintiff fails to comply with this order, his unsigned pretrial statement will be
7 stricken from the record.

8
9 IT IS SO ORDERED.

10 Dated: **October 21, 2015**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE